IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN THE MATTER OF ORDERS OF PROTECTION:	)	ADMINISTRATIVE
PROCEDURES FOR FILING PETITIONS,	)	ORDER
ELIMINATION OF MINUTE ENTRIES,	)	NO. 97-009
CASE NUMBERS, AND OTHER ISSUES --	)	
AMENDS ORDER 97-007	)	
	)	

The purpose of this Administrative Order is to clarify the policy, practice, and procedure of the Domestic Relations Department in Maricopa County regarding filing of Petitions for and Orders of Protection, issuance of minute entries on Orders of Protection, assignment of case numbers, and other issues related to Petitions for and Orders of Protection.

IT IS ORDERED AS FOLLOWS:

Filing Petition, Proof of Filing (APraecipe@) Petition, and Fees for Filing Petition:

A.   All Petitions for Orders of Protection shall be presented on court-approved forms, with 4 carbonless copies, to the filing counter of the Clerk at either location of the Superior Court in Maricopa County. The Clerk shall issue and file a Proof of Filing Petition for Order of Protection (APraecipe≅) as evidence that the Petition was presented.

B.   Plaintiff shall pay the filing fee or get an Order waiving or deferring the fee.

C.   The Clerk shall return to the Plaintiff the original and all copies of the Petition and proposed Order, for the Plaintiff to present to the judicial officer hearing the Petition. The Petitioner shall also present EITHER a receipt from the Clerk>s office indicating payment of filing fee OR a signed order waiving fees.

Case number:

The Clerk of Court assigns case numbers to all Domestic Relations proceedings. Court policy is to assign the same case number for all cases that involve the same parties, whether simultaneous with or subsequent to the original action, to make judicial determinations on an aspect of the case that are consistent with former and/or simultaneous proceedings. For cases involving Petitions for Orders of Protection, the policy of the Department is as follows:

A.   The Clerk <u>shall assign</u> a new DR case number and create a new file if no related Domestic Relations action is pending between the parties in the Superior Court in Maricopa County.

B.   The Clerk <u>shall not assign</u> a new case number or create a new file if a related Domestic Relations action is pending between the parties in this court.

Courtroom Process:

A.   **Amendment of Petition:** The Plaintiff shall present the original Petition and all copies, and the

draft Order and all copies, on court-approved forms with 4 carbonless copies, to the judicial officer assigned to the case or otherwise assigned to hear Orders of Protection. If necessary, the Plaintiff may amend the original of the Petition at this time.

B. **Order Signed and Stamped:** The judicial officer shall complete the Order of Protection and all copies, and indicate <u>on its face if the Order of Protection is granted or denied.</u>

C. **Filing Originals:** The courtroom clerk <u>shall file the original</u> of both the Petition and Order.

D. **No Minute Entries:** The courtroom clerk shall <u>not prepare a minute entry for the Order of Protection whether issued or denied, the Request to Quash, or the Request for Hearing.</u>

E. **Certification:** A copy of the Order of Protection shall be certified by the courtroom clerk at the time the Order is signed.

F. **Entry of ACS Codes:** The Judicial Assistant assigned to the Division shall enter on the Automate Court system whether the Order was granted (SOP) or denied (DOP), and whether a hearing is requested (HOP).

EFFECTIVE DATE:

This Policy when approved by the DR Department shall be effective January 13, 1997.

AVAILABILITY OF FORMS

Forms for Petitions for and Orders of Protection, Petitions for and Injunctions Against Harassment, and other forms related to Domestic Relations cases are available through the Self Service Center.
DONE IN OPEN COURT this _____ day of _____, 1997

_____
Honorable Barry C. Schneider
Presiding Domestic Relations Judge

Original: Clerk of the Court
Copies:All Department Judges, Commissioners, Judicial Assistants
              Department Administrator